

KENTUCKY BOARD OF RESPIRATORY CARE

MINUTES
April 15, 2021

The Kentucky Board of Respiratory Care held a meeting on Thursday April 15, 2021 via Zoom videoconference.

MEMBERS PRESENT

Tom Baxter, RRT, Chair
William Garrison, RRT, Vice Chair
Darrell Heckman, Citizen at Large
Chaitanya Mandapakala, MD
Ken McKenney, RRT
Tim Roark, RRT
Mohamed Saad, MD

KBRC STAFF

Tamara G McDaniel, Executive Director
Leah Boggs, Legal Counsel

Call to Order

Chair Tom Baxter called the meeting to order at 5:32pm.

Minutes

Mr. Garrison made a motion to accept the meeting minutes of February 18, 2021 with the following changes: Page 4, Limited Mandatory Applications, change Kelsie Ale to Kelsie Hale. Mr. Roark seconded the motion. Motion carried unanimously.

Financial Statement

Ms. McDaniel presented the FY2021 to date, financial report and budget report. She reported that the Board is within the quarterly budget allotment and within the total budgeted spending.

Staff Report

Ms. McDaniel reported that audits are complete and admonishment letters have been sent out to practitioners with deficiencies. The office continues to work at 50% in-office staff per state COVID-19 guidelines.

Old Business

Ms. McDaniel reported on the status of the Volunteer Health Practitioners. To date there are a total of 44 people who applied for emergency permission to practice in Kentucky. Of those, there are now only 3 people working in Kentucky facilities using the Volunteer Health Practitioner permission. Two are working prn at facilities that border their home state and one is working on an agency assignment in Kentucky. The person working full time on an agency assignment has plans to apply for a Mandatory certificate to practice. Mr. McKenney made a motion to phase out the Volunteer Health Practitioner permission at this time, giving the remaining 3 people 30 days in which to obtain a license if they wish to continue practicing in Kentucky. Dr. Mandapakala seconded the motion. Motion carried unanimously.

Closed Session

Mr. Garrison made a motion for the Board to go into closed session, pursuant to KRS 61.810(1) (c) and (j), to discuss proposed or pending litigation and to deliberate regarding individual adjudications. Mr. Heckman seconded the motion. The motion carried unanimously.

Mr. Garrison made a motion to come out of closed session; seconded by Mr. McKenney. Motion carried unanimously.

Agreed Orders – Compliant Cases

Tara Adams

Ms. McDaniel reported that Tara Adams is compliant. No action on the case.

Amber Grubb

KYPRN reported that Amber Grubb completed her Agreed Order on April 14, 2021.

Johnna Jervis

KYPRN reported that Johnna Jervis is compliant. No action on the case.

Brenda Monroe

KYPRN reported that Brenda Monroe is compliant. No action on the case.

Ali Omar

KYPRN reported that Ali Omar is compliant. No action on the case.

Justin Smith

Ms. McDaniel reported that Justin Smith is compliant. No action on the case.

Agreed Orders – Non -Compliant Cases

1. Brett Holland #6933

KYPRN reported that Mr. Holland is not compliant in several areas. He has missed seven calls, has had several no-shows for testing and has had a positive drug screen. Mr. Garrison made a motion to suspend Mr. Holland's license as per the signed Agreed Order for a period of 6 months. All other terms of the Agreed Order will continue. Dr. Saad seconded the motion. Motion carried unanimously.

Active Complaint Cases

1. Tina Walker #1698– Complaint from S. Lamp of the Food and Drug Administration

Ms. Walker has signed the Agreed Order of Voluntary Surrender. The Administrative Hearing has been cancelled.

2. James E. Cash II #1771- Complaint from Rockcastle Hospital

Mr. Cash has not responded to the offer of Agreed Order. Legal counsel will be moving forward with the administrative hearing.

3. Deborah Meuhlenbein #7248- Complaint from University of Louisville Hospital

The Agreed Order was sent to Ms. Meuhlenbein on April 15, 2021. Ms. McDaniel will report on this at the next meeting. No further action at this time.

4. Stacey Colyer # 5821 – Self-reported disciplinary action in WI

The Agreed Order was sent to Ms. Colyer on April 15, 2021. Ms. McDaniel will report on this at the next meeting. No further action at this time.

5. Kimberly Moore #1636 – declaration of misdemeanor or felony

The Agreed Order was sent to Ms. Moore on April 15, 2021. Ms. McDaniel will report on this at the next meeting. No further action at this time.

6. Marcus Allen #8822 – Complaint from Highlands Nursing and Rehabilitation

Mr. Garrison made a motion to deny the Mandatory Certification application for Marcus Allen. Any future attempt at licensing by Mr. Allen will not be provisionally granted and must come before the full Board for review. Ms. McDaniel is to send the complaint to any state in which Mr. Allen is licensed. Dr. Saad seconded the motion. Motion carried unanimously.

7. Ashley Crider #7629 – Complaint from Elizabeth Burwell

Mr. Garrison made a motion to send a letter to Ms. Crider reminding her of our professional ethics regulations and attach a copy of the Board's statement regarding social media obligations. Dr. Saad seconded the motion. Motion carried unanimously.

New Business

1. MOA for legal services –Leah Boggs General Counsel, DPL, Public Protection Cabinet presented the Board with the MOA for legal services for FY 22. Dr. Saad made a motion to accept the MOA for legal services for the Fiscal Year 2022. Ken McKenney seconded the motion. Motion carried unanimously.

2. Report of 2021 Audit. Ms. McDaniel Reported that two individuals did not respond to the audit, Vincent Jenness and Sabrina Williams. Ms. McDaniel reported that she attempted several times to reach Mr. Jenness by phone and by email regarding his delinquent audit and received no response. She reported that she did make contact with Ms. Williams by phone and Ms. Williams expressed that she would mail in her audit, but she did not. Ms. McDaniel reported that she attempted several times after that to reach Ms. Williams by phone and email and received no response. Dr. Saad made a motion to offer an Agreed Order to both individuals with the following terms: They must provide proof of continuing education used for their renewal, that their renewals will be monitored and automatically be audited for the next 2 renewal cycles and that they pay a fine of \$500. Ken McKenney seconded the motion. Motion carried unanimously.

3. Application Review - Ms. McDaniel reported that there were **73** Mandatory applications, **36** of which were Reciprocity applications, **17** Limited Mandatory (student) applications. There were **7** application issues to report.

1. Cheyenne Simpson # 8327 Self Report of criminal citation for a traffic accident.

No action taken. Mr. McKenney recused from all discussion and vote.

2. Rick Wilson #0673 Working on an expired license.

Ms. McDaniel reported that Mr. Wilson has signed an agreed order for a fine of \$50 per day for each day worked without proper licensure.

3. Michelle Mandry #6952 Working on an expired license.

Ms. McDaniel reported that Ms. Mandry has signed an agreed order for a fine of \$50 per day for each day worked without proper licensure.

4. Caroline Lindemann #6110 – Reinstatement Application with previously reviewed Ohio disciplinary action.

No Action

5. Andrew Tipmore #7890 Reinstatement Application with previously reviewed Indiana disciplinary action.

No Action

6. Brian Downey #5860 Reinstatement Application with declaration of a felony

Mr. Roark made a motion to approve the Reinstatement of Mr. Downey's license and to offer him Agreed Order with the following terms: Monitoring through KYPRN until December 31, 2024, 1 year suspension with the suspension probated for 1 year so long as he is compliant with his KYPRN agreement.

7. Naida Gagulic – Limited Mandatory Application with declaration of a felony

No action taken. Mr. McKenney recused from all discussion and vote.

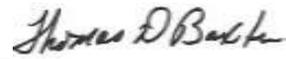
Mr. Roark made a motion to accept all **90** new applications. Dr. Saad seconded the motion. Motion carried unanimously.

The following **Limited Mandatory applications (17)** were approved: Ghader Alkhazal, Morgan Applegate, Ugennear Calloway, Thomas Crone, Ethan Harless, Chole Hawkins, Taylor Guzman, Billy Miller, Abigail Pack, Candice Sallengs, Linsey Simpson, Shelia Tackett, Kennedy Walthers, Kaitlyn McWhorter, Kaitlyn Mills, Destiny Patterson and Shannon Smioldo,

The following **Mandatory applications (73)** were approved: Jonalyn Anderson, Crystal Blankinship, Jessica Brim, Melissa Brown, Linda Caddell, Ken Cannon, Mark Chandler, Sarah Cole, Amy Collinsworth, Dallas Collett, Kasandra Crabtree, Ashleigh Dawes, Crystal Dell, Darla Dishman, Michael Greene, Tamika Hall, Cynthia Harris, Owen Hayes, Caleb Hedges, Barbara Himlin, Billy Horton, Madison Horton, James Jarboe, Tsganesh Jekamo, Amanda Jones, Tyler Kabler, Vicki Kirk, Walther Leonard, Heather Lindsey, Katie Linville, Allison Lockwood, Rachel Lopez, Brett Lovell, Ann Maxted, Chad McAfee, MiQuel McCleary, Gerald McDaniel, Jennifer McGuire, Cristy McNutt, David Medina Vargas, Tanya Milliron, Lori Mills, Skylar Morrison, Jessie Mullins, Jeanny Murphy, Tymori Murphy, Nanna Nsaku, Brooke Oliver, Chelsey O'Neil, Brett Outz, Chastine Owens, Miranda Paschall, Nancy Perrey, John Perry, Stephanie Pittman, Brittany Poling, Rhianna Pollard, Donnie Puckett, Cheri Purk, Jennifer Richter, Elizabeth Seacat, Carla Smith, Michelle Smothers, Phillip Soly, Martina Sowell, Ashley Sully, Christopher Swinford, Wanda Taylor, Ashley Tebbs, Christie Wells, Ricky Wilson, Scott Westmoreland and Ashley Wright.

Announcements

1. The next meeting will be held Thursday, June 17, 2021 at 5:30 p.m., EST via Zoom videoconferencing.
2. Mr. Heckman made a motion to approve the payment of per diem, compensation, travel at 43 cents per mile, and honoraria for board members. Mr. Garriossn seconded the motion. Motion carried unanimously.
3. Mr. McKenney made a motion to adjourn the meeting. Mr. Garrison seconded the motion. Motion carried unanimously. Meeting adjourned at 7:15 p.m.



Thomas D. Baxter, Chair
KY Board of Respiratory Care